

Translation

TENT COOPERATION TREATY

PCT/JP2003/006050



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 8031-PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/006050	International filing date (day/month/year) 15 May 2003 (15.05.2003)	Priority date (day/month/year) 26 June 2002 (26.06.2002)
International Patent Classification (IPC) or national classification and IPC C01B 3/10, 3/06, H01M8/06		
Applicant UCHIYA THERMOSTAT CO.,LTD.		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 16 January 2004 (16.01.2004)	Date of completion of this report 24 September 2004 (24.09.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ The international application as originally filed/furnished

☒ the description:

pages _____ 1-10 _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

pages _____ 3 _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* 1, 2, 4, 5 received by this Authority on 21 May 2004 (21.05.2004)

pages* _____ received by this Authority on _____

☒ the drawings:

pages _____ 1/3-3/3 _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations

- Document 1: JP 57-095803 A (Babcock-Hitachi Kabushiki Kaisha), 14 June 1982
- Document 2: JP 57-048343 A (Babcock-Hitachi Kabushiki Kaisha), 19 March 1982
- Document 3: JP 03-267558 A (Iseki & Co., Ltd.), 28 November 1991
- Document 4: JP 04-100518 A (Iseki & Co., Ltd.), 02 April 1992
- Document 5: JP 30-871 B1 (Saban S. A. Societe Holdings), 12 February 1955

The inventions that are set forth in claims 1, 3 and 4 involve an inventive step in relation to documents 1-5 cited in the international search report.

The feature wherein a first metal comprising at least one metal from among Rh, Ir, Ru, Pd, Pt and Os, and a second metal comprising at least one metal from among Ti, Zr, V, Nb, Cr, Mo, Al, Ga, Mg, Sc, Ni and Cu are added to iron or an iron oxide, and the loads of the aforementioned first metal and the aforementioned second metal that are added to the aforementioned iron or iron oxide each constitute between 0.1-30.0mol% of the total number of metal atoms when calculated in terms of the number of moles of metal atoms is not disclosed in

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documents 1-5, and is not obvious to a person skilled in the art.

The inventions that are set forth in claims 2, 3 and 5 involve an inventive step in relation to documents 1-5 cited in the international search report.

The feature wherein at least one metal from among Rh, Ir, Ru, Pd, Pt and Os, and at least one metal from among Ti, Zr, Nb, Cr, Al, Ga, Mg, Sc, and Cu are added to iron or an iron oxide is not disclosed in documents 1-5, and is not obvious to a person skilled in the art.

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Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO 02/081368 A1 [E, A]	17 October 2002 (17.10.2002)	01 April 2002 (01.04.2002)	01 April 2001 (01.04.2001)

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)